

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**WILLIAM O. DALE and  
A. JAMES STREELMAN,**

**Plaintiffs,**

**v.**

**CIV 16-953 KBM/KK**

**EQUINE SPORTS MEDICINE & SURGERY  
RACE HORSE SERVICE, PLLC. And  
DR. BOYD CLEMENT,**

**Defendants.**

**DISMISSAL WITHOUT PREJUDICE**

COMES NOW, Plaintiffs William O. Dale and A. James Streelman, by and through their undersigned counsel, and do hereby dismiss the above styled and numbered cause of action without prejudice.

Pursuant to Federal Rules of Civil Procedure Rule 41 Dismissal of Actions (a)(1)(A)(i) dismissal is proper voluntarily by Plaintiff because the Defendants have not file either an Answer or a Motion for Summary Judgment.

Respectfully submitted this 10<sup>th</sup> day of January, 2017.

/s/ Dori E. Richards  
Dori E. Richards, Esq.

A. Blair Dunn  
A. Blair Dunn, Esq.

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing was filed via the Court's CM/ECF system on this 10<sup>th</sup> day of January, 2017, causing all parties to be served electronically.

A. Blair Dunn

A. Blair Dunn. Esq.